

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 7:20-cv-00025
	§	
37.158 ACRES OF LAND, MORE OR	§	
LESS, SITUATE IN HIDALGO	§	
COUNTY, STATE OF TEXAS; AND	§	
HIDALGO AND CAMERON	§	
COUNTIES WATER CONTROL	§	
AND IMPROVEMENT DISTRICT	§	
NO. 9,	§	
<i>Defendants.</i>	§	

FIRST AMENDMENT TO DECLARATION OF TAKING

TO THE HONORABLE JUDGE RANDY CRANE
THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF TEXAS:

On January 27, 2020, a proceeding designated as Civil No. 7:20-cv-00025 commenced with the filing of a Complaint (Dkt. 1) and Declaration of Taking (Dkt. 2) in this Honorable Court in the name of the United States of America (“United States”) for the acquisition of a fee simple estate in lands identified as Tract Nos. RGV-WSL-8000, RGV-WSL-8000-2, RGV-WSL-8006 and RGV-WSL-8007, situate in Hidalgo County, Texas.

On January 28, 2020, a deposit was made in the registry of the Court in the amount of \$314,005.00 (Dkt. 5), for the use and benefit of persons entitled thereto.

It is now necessary to amend said Declaration of Taking to correct the legal description and acreage of acquired Tract RGV-WSL-8006, which is reduced from 4.139 acres to 4.138 acres, and the total acreage acquired from 37.158 to 37.157.

NOW, THEREFORE, I, Loren Flossman, Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office

Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, under the authority delegated to me by the Act of Congress approved November 25, 2002, as Public Law 107-296, 116 Stat. 2311 and codified at 6 U.S.C. §§ 202, 251, and 557, which transferred certain authorities of the Attorney General to the Secretary of Homeland Security; and by DHS Delegation No. 7010.3(II)(B), which delegated land acquisition authority from the Secretary of Homeland Security to the Commissioner of U.S. Customs and Border Protection; and by CBP Delegation 18-200, which delegated land acquisition authority of \$5 million dollars or less to the Acquisition Program Manager, Wall Program Management Office, USBP Program Management Office Directorate, U.S Border Patrol; do hereby amend said Declaration of Taking to:

1. Substitute Schedule “CC-2” containing a corrected legal description of acquired Tract RGV-WSL-8006, attached hereto and made a part hereof in lieu of the legal description provided in Schedule “C-2” of the Declaration of Taking for said tract;
2. Substitute Schedule “DD-2” containing a revised survey containing the correct depiction of acquired Tract RGV-WSL-8006, attached hereto and made a part hereof in lieu of the survey provided in Schedule “D-2” of the Declaration of Taking for said tract; and
3. Substitute Schedule “EE” to indicate the correct the total acreage acquired to 37.157 acres in lieu of 35.158 acres provided in Schedule “E” of the Declaration of Taking.

It is intended by this amendment that the aforesaid Declaration of Taking is not changed, and is not intended to be changed, in any respect except as hereinabove expressly set forth.

IN WITNESS WHEREOF, the undersigned, Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, hereunto subscribes his name by direction of the Secretary of the Department of Homeland Security, this 10 day of April, 2020 in the City of Washington, District of Columbia.

Loren Flossman

Digitally signed by Loren
Flossman
Date: 2020.04.10 08:35:08 -04'00'

Loren Flossman
Acquisition Program Manager
Wall Program Management Office
U.S. Border Patrol Program Management Office Directorate
U.S. Border Patrol
U.S. Customs and Border Protection
Department of Homeland Security